The Judicial Branch

Chapter 13: Federal and State Court System

1. **Lesson 1: Judicial System in Our Democracy**
2. Early Systems of Law
3. Law is the set of rules and **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** by which a society governs itself
4. The earliest known written laws were based on practices in **\_\_\_\_\_\_\_** societies
5. The Code of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**gave us how to categorize a crime and the punishment for crimes
6. The ten **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** emphasized social justices and individual and communal responsibility (this form gave us **\_\_\_\_\_\_\_\_**laws)
7. **\_\_\_\_\_\_\_\_\_\_\_** romans gave us the written law
8. The **\_\_\_\_\_\_\_\_\_\_\_\_** Code gave us a simplified version of law
9. The basis of American law was **\_\_\_\_\_\_\_\_\_** law in which judges resolve individual cases
10. Principles of Democracy in the Judiciary
11. When individuals have conflict in spite of the laws our courts **\_\_\_\_\_\_\_\_\_** a solution
12. Our courts help **\_\_\_\_\_\_\_\_** conflict without resorting to violence
13. Courts also **\_\_\_\_\_\_\_\_\_\_\_\_\_** what laws mean
14. Rule of Law
15. The idea behind **\_\_\_\_\_** of law is that no individual, group, organization, or **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** entity is above the law
16. Laws must be **\_\_\_\_\_\_** and **\_\_\_\_\_\_\_\_** to all
17. Laws must be **\_\_\_\_\_\_\_\_**, fairly, and **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** enforced
18. Controls on the Abuse of Power
19. **\_\_\_\_\_\_\_\_\_\_\_** Review is a way that the court can check the power of the **\_\_\_\_\_\_\_\_\_\_\_\_\_** and **\_\_\_\_\_\_\_\_\_\_\_\_\_**branches
20. The Legislative and Executive branches has power to ensure the court doesn’t **\_\_\_\_\_\_\_** its power
21. The rules of our legal system also **\_\_\_\_\_\_\_\_** the courts
22. Courts are also limited in the **\_\_\_\_\_\_\_** of cases they hear
23. Judicial Independence
24. The key **\_\_\_\_\_\_\_\_\_\_\_** of a democracy is for the courts to act impartially and make fair decisions
25. Judicial **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** includes: selection of judges, judicial review, and the president enforcing laws
26. In the federal court system judges are **\_\_\_\_\_\_\_\_\_\_\_\_** for life terms
27. Critiques believe that life time **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** take away judicial independence
28. **Lesson 2: Trials**
29. The Function of Trial Courts
30. **\_\_\_\_\_\_\_\_\_\_\_\_\_** trial courts can hear cases about crimes
31. Civil trial **\_\_\_\_\_\_\_\_\_** hear cases are where you sue someone for damages
32. In both types of courts **\_\_\_\_\_\_\_\_** or juries determine the facts of the case and then use the **\_\_\_\_\_** to determine the outcome
33. In **\_\_\_\_\_\_\_\_\_** trial courts are where the **\_\_\_\_\_\_\_** comes out about a persons guilt
34. Jurisdiction
35. **\_\_\_\_\_\_\_\_** courts have original jurisdiction over **\_\_\_\_\_\_\_\_\_\_\_** cases and **\_\_\_\_\_\_\_** disputes
36. Before a case can get to **\_\_\_\_\_\_\_\_**, someone must be **\_\_\_\_\_\_\_\_\_\_\_\_\_** accused of a **\_\_\_\_\_\_\_** or have caused **\_\_\_\_\_\_\_\_\_\_\_** to another person
37. Adversarial System
38. Trial system in the US is an **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** system
39. This means it is a **\_\_\_\_\_\_\_\_\_\_** between opposing sides
40. Supporters of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** system state that this system is the best way for the truth to come out
41. **\_\_\_\_\_\_\_\_\_** of this system say that it is not the best **\_\_\_\_\_\_\_\_\_\_** of discovering the truth or who is at fault
42. Roles in Trial
43. In a trial there are **\_\_\_\_** parties or sides to each case
44. **\_\_\_\_\_\_\_\_\_\_** presides over the trial
45. **\_\_\_\_\_\_\_\_\_\_\_\_**follow the rules of evidence and trial procedures
46. A **\_\_\_\_\_\_\_** is a group of citizens who are sworn to give a verdict based on evidence
47. Each party may have an **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
48. In *Gideon v. Wainwright* (1963) the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Court ruled that states must provide an **\_\_\_\_\_\_\_\_\_\_\_\_\_** not only in federal court but in state court (lower courts) as well.
49. **\_\_\_\_\_\_\_\_\_\_\_\_\_** are people with knowledge about the facts of the case.
50. Steps of a Trial
51. Opening Statement by Plaintiff or Prosecutor
52. Opening Statement by Defense
53. Direct Examination by Plaintiff or Prosecutor
54. Cross-Examination by Defense
55. Motions
56. Direct Examination by Defense
57. Cross-Examination by Plaintiff or Prosecutor
58. Closing Statement by Plaintiff or Prosecutor
59. Closing Statement by Defense
60. Rebuttal Arguments
61. Jury Instructions
62. Verdict
63. Settling Cases without Trial
64. Most **\_\_\_\_\_\_** cases never go to trial
65. Civil cases **\_\_\_\_\_\_\_\_\_** result in out of court settlements
66. Most criminal cases end up with a **\_\_\_\_\_** bargain
67. Supporters of the **\_\_\_\_\_** bargain claim they are **\_\_\_\_\_\_\_\_\_\_** and save the state the cost of a trial
68. Opponents argue that plea bargains allow some **\_\_\_\_\_\_\_\_\_\_** to get off lightly
69. Juries
70. Juries are an **\_\_\_\_\_\_\_\_\_\_\_** part of our democracy and the right to a jury trial is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** in the Constitution
71. **\_\_\_\_\_\_\_\_** serve to protect the rights of the parties and make it more likely that justice is **\_\_\_\_\_\_\_\_\_\_\_\_**
72. Juries give people a **\_\_\_\_\_\_\_** in government, which make trials more **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
73. Some states and the federal government use a **\_\_\_\_\_\_\_** jury to determine if a case can even go to **\_\_\_\_\_\_\_** for serious crimes
74. Right to a Jury
75. The **\_\_\_\_\_\_\_** Amendment to the US Constitution guarantees the right to trial by jury in criminal
76. The **\_\_\_\_\_\_\_\_\_** amendment guarantees the right to jury trial in a civil case
77. The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** protects the right to trial by jury, but does not mean that a jury is required in every case
78. Jury Service
79. Serving on a **\_\_\_\_\_\_** is one of the most powerful actions that citizens take in a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
80. Juries represent the people’s **\_\_\_\_\_\_\_\_\_\_\_\_\_** to participate directly in government
81. Citizens have a **\_\_\_\_\_\_\_** duty to serve on juries when called upon
82. To serve you must be **\_\_\_\_** years old, able to speak and understand **\_\_\_\_\_\_\_\_\_\_\_**, and a resident of the state where the **\_\_\_\_\_\_\_** is taking place
83. Jury selection should reflect the **\_\_\_\_\_\_\_\_\_\_\_\_** of the community in which the trial is taking place ***(\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)***
84. **Lesson 3: Appeals**
85. Errors of Law
86. **\_\_\_\_\_\_\_\_\_** are possible when the **\_\_\_\_\_\_\_\_** party can claim that the trial court made an error of law
87. **\_\_\_\_\_\_\_** of law occurs when the judge makes a mistake about the law **\_\_\_\_\_\_\_\_\_\_\_\_\_** in the case
88. A judge’s **\_\_\_\_\_\_\_** is considered minor as long as it does not affect the **\_\_\_\_\_\_\_\_\_\_** of the trial
89. Procedural Due Process
90. The fair **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of justice is called procedural due process
91. Fair **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** help prevent arbitrary, unreasonable decisions
92. Due **\_\_\_\_\_\_\_\_\_\_** also ensure that all levels of the **\_\_\_\_\_\_\_\_\_** system must follow the same basic **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
93. Procedures at an Appeals Court
94. In an **\_\_\_\_\_\_\_\_\_** court, one party presents arguments asking the court to review the decision of the trial court
95. There are no **\_\_\_\_\_\_\_\_** or **\_\_\_\_\_\_\_\_\_\_\_\_\_** in an appeals court, and no new evidence is presented
96. Only **\_\_\_\_\_\_\_\_\_\_\_\_** appear before the judges to make legal arguments
97. **\_\_\_\_\_\_\_\_\_\_\_\_** decide appeals
98. Appeals courts may uphold the **\_\_\_\_\_\_** court decision, **\_\_\_\_\_\_\_\_\_\_** the trial court’s decision, or send the **\_\_\_\_\_\_** back to be tried again
99. Precedent and State Decisis
100. **\_\_\_\_\_\_\_\_\_\_\_\_** are legal principles created by an appellate court decision that lower court judges must follow when **\_\_\_\_\_\_\_\_\_\_\_\_** similar cases
101. The basic legal principle is often called **\_\_\_\_\_\_\_** decisis, which means “let the decision stand”
102. Stare **\_\_\_\_\_\_\_\_\_\_** makes the law predictable and leads to stability in our society
103. Appellate courts have the power to **\_\_\_\_\_\_\_\_\_\_\_\_** one of their earlier precedents, but this does not happen often
104. **Lesson 4: Local, State, and Federal Courts**
105. Jurisdiction
106. Cases must start in courts with **\_\_\_\_\_\_\_\_\_\_\_\_** jurisdiction
107. The federal courts are considered to be courts of **\_\_\_\_\_\_\_\_\_** jurisdiction
108. Federal courts usually hear cased that raise **\_\_\_\_\_\_\_\_\_\_\_** about federal law (**\_\_\_\_\_\_\_\_\_**)
109. Federal courts can hear certain state law **\_\_\_\_\_\_\_\_\_\_** when it comes from a **\_\_\_\_\_\_\_\_\_\_** state
110. State courts are considered to be courts of **\_\_\_\_\_\_\_\_\_\_** jurisdiction able to hear a wide **\_\_\_\_\_\_\_\_\_\_** of cases
111. State and Local Courts Jurisdiction
112. State and local courts **\_\_\_\_\_\_\_\_\_\_\_** and apply state and local laws
113. State courts decide most cased involving **\_\_\_\_\_\_** laws
114. Local courts are part of their state court system and decide cases involving **\_\_\_\_\_\_** laws
115. State Trial and Appeals Courts
116. Minor courts often **\_\_\_\_\_\_\_\_\_\_\_\_\_** in dealing with specific types of legal issues (family courts)
117. General Trial Courts can hear **\_\_\_\_\_\_\_\_\_\_** from civil or criminal cases
118. Appeals court decides on if a court decision on a case gets **\_\_\_\_\_\_\_\_\_\_\_\_\_**, kept, or if the case goes back to trial
119. Judges
120. There are about **\_\_\_\_\_\_\_\_\_\_\_\_** state court judges in the US
121. Judges are selected in **\_\_\_\_\_\_** different ways: popular election, election by the **\_\_\_\_\_\_\_\_\_\_\_\_**, appointment by the **\_\_\_\_\_\_\_\_\_\_\_\_**, or by a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of appointment and popular election.
122. People disagree over the best **\_\_\_\_\_\_\_\_\_\_** for selecting judges
123. Some states choose judges in a method known as **\_\_\_\_\_\_\_** selection
124. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**: a commission chooses based on the governors recommendation who would be the best fit for the job
125. Jurisdiction of the Federal Courts
126. Federal courts generally hear cases that **\_\_\_\_\_\_** questions about a federal **\_\_\_\_\_** or the federal **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
127. Federal courts sometimes decide on cases that deal with state law or a large **\_\_\_\_\_\_\_\_\_\_** of money is involved
128. Overall, federal courts handle more than **\_\_\_\_\_\_\_\_\_\_\_\_** case per year and more than 1 million bankruptcy petitions
129. Federal Trials and Appeals Courts
130. Congress divided the US into **\_\_\_\_** federal judicial districts these federal trial courts handle both civil and criminal cases
131. Some federal judicial districts over an **\_\_\_\_\_\_** state, while other states have several districts within its boundaries
132. The trial courts are grouped into **\_\_\_** regional circuits each of which has a federal courts of appeals
133. Military Courts
134. This court created by **\_\_\_\_\_\_\_\_\_\_\_\_**, from the Constitution (Article 1 Section 8), is overseen by the **\_\_\_\_\_\_\_\_\_\_\_\_**
135. The current regulations that the military courts follow is the **\_\_\_\_\_\_\_\_\_\_** Code of **\_\_\_\_\_\_\_\_\_\_\_** Justice, which is very similar to criminal codes
136. The UCMJ is also different because it contains **\_\_\_\_\_\_\_\_\_\_\_\_** for specific military conduct
137. Violation of the UCMJ are heard in proceedings called **\_\_\_\_\_\_\_\_\_\_\_\_\_**
138. Each military branch has its own court of **\_\_\_\_\_\_\_\_\_**
139. Tribal Courts
140. Tribal courts hear a broad range of both **\_\_\_\_\_\_\_\_\_\_** and **\_\_\_\_\_\_** cases involving Native Americans and non-Native Americans
141. The work of the **\_\_\_\_\_\_\_** courts strongly reflects the culture of the people they serve
142. The **\_\_\_\_\_\_\_\_\_\_\_** of such courts varies on location of the offense
143. Federal courts have jurisdiction over many **\_\_\_\_\_\_\_\_\_** committed by Native Americans on the reservation
144. Tribal courts cannot prosecute non-Native Americans for crimes committed on the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

****